

**Special Courts Committee
Judicial Conference of Indiana**

May 16, 2008
Minutes

1. Members present. The following members of the committee were present Kenneth Abbott, Randy Coffey, Jennifer DeGroote, Glenn Hancock, George Hoffman, Michael Pagano, Marc Rothenburg, Russell Sanders, and Peggy Lohorn, Chair.
2. Staff present. Michelle C. Goodman provided the Committee with staff assistance.
3. Guests. Judge Tom Clem, and Senior Judge John Kellam.
4. Approval of minutes. The Committee unanimously approved the minutes from the February 15, 2008 meeting.
5. Small Claims Rule 8(C). The Committee reviewed the portion of a survey sent to trial judges asking for input on possible amendments to Small Claims Rule 8(C). After discussing the feedback provided through the survey, the Committee unanimously decided to make the following recommendations:
 - a. Maintain the \$1,500 limit for entities appearing by a full-time employee
 - b. Specifically included LLC & LLP in the above provision
 - c. Study further the issues involved with assignment of claims/purchased claims
 - d. Propose language to clarify the rule regarding appearance by employee versus appearance by an attorney.
6. Court Structure project. The Committee reviewed the portion of the survey of trial judges relating to this project. The Committee reviewed a draft proposal to make all judges in Indiana law trained. The Committee amended draft 1 and unanimously approved that draft as amended. The Committee requested that this proposal be presented to the Board of Directors for further action.

The Committee next reviewed the issue of the clerk's role with the courts. After the Committee's discussion, they unanimously decided to pursue this as a separate, subsequent project to the court structure project that is currently on the table.

In continuing the court structure discussion, the Committee noted that many of the negative comments focused on the ability to absorb the additional workload into the existing system. The Committee also discussed the comments and feedback from district meeting, including additional support for state funding of the judicial system. The Committee requested that staff begin to update/draft legislation based on the 2001 introduced version and work on updated fiscal information. The Committee then unanimously agreed to the follow:

- a. Pursue the proposal to have all judges law trained
- b. Develop proposal to abolish/merge city and town court taking into account caseloads
- c. Develop proposal for state funding of the trial court system taking into account fiscal impacts for state, county, and city/towns

7. 2008 meeting schedule. The remaining meetings for 2008 will be held on:

Friday, Aug. 15, 2008

Friday, Dec. 5, 2008

All meetings will be held at the Indiana Judicial Center at 11 a.m.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney